

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

IN RE:

GWENDOLYN C. WILLIAMS,
DEBTOR/ PLAINTIFF,

CHAPTER 7
CASE NO. 16-25568-E
ADVERSARY NO.

VS.

PRAIRIE STATE COLLEGE FOUNDATION,
CREDITOR/DEFENDANT.

COMPLAINT FOR TURNOVER OF PROPERTY

Comes now the above named Plaintiff, and files this Complaint for Turnover of Property pursuant to Rule 7001 of the Bankruptcy Rules of Procedure, and would state:

1. Plaintiff alleges that (1) this adversary proceeding relates to the petition filed by Debtor pursuant to Chapter 7 of Title 11 of the United States Code on June 17, 2016, in the United States Bankruptcy Court for the Western District of Tennessee, Western Division; and (2) this Adversary Proceeding is a core proceeding over which this Court has jurisdiction pursuant to 28 U.S.C. 157(b)(2) and 28 U.S.C. 1334.

2. Prior to the filing of this bankruptcy case, Plaintiff attended Prairie State College.

3. The plaintiff is attempting to continue her education to improve her standard of living for her and her family.

4. The Plaintiff and Plaintiff's attorney has contacted the Defendant and requested that they release the plaintiff's transcripts and degree, but the Defendant has refused to release the transcripts and degree until the balance is paid in full.

5. The plaintiff is being discriminated against by defendant for her filing of the Chapter 7 Bankruptcy.

6. The defendant is violating the automatic stay pursuant to 11 U.S.C. §362 by refusing to release the transcripts and degree to the plaintiff.

WHEREFORE, Debtor prays that a summons be issued to Defendant, requiring Defendant to answer the allegations in this Complaint and after a hearing on the merits, the Defendant be ordered to release the transcripts and degree to the Plaintiff; that, further, a scire facias issue and Defendant be cited to appear before this Court and show cause why he should not be held in contempt of this Court for his actions and punished and fined accordingly; and for Court costs; and attorney fees; and for such all and other further relief to which this Honorable Court deems the Plaintiff to be entitled.

Respectfully submitted,

/s/ Jimmy E. McElroy #011908
Attorney for Debtor
3780 S. Mendenhall
Memphis, Tennessee 38115
(901) 363-7283

Certificate of Service

The undersigned certifies that the above complaint was mailed VIA United State Postal Service to all parties listed below on July 19, 2016.

/s/Jimmy E McElroy

Debtor
Case Trustee
James Easton, Registered Agent for Prairie State College, 202 S. Halsted Street, Chicago Heights,
IL 60411